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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,455	04/28/2000	Haruo Machida	35.C14455	3832
5514	7590	04/21/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			HAILU, TADESSE	
			ART UNIT	PAPER NUMBER
			2173	13

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/559,455

Applicant(s)

MACHIDA, HARUO

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 and 34-45 is/are rejected.
- 7) ☒ Claim(s) 33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449), Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. This Office Action is in response to the Amendment entered 1/26/2004 for the patent application (09/559,455) filed 4/28/2000.
2. The present invention claims priority from JP 11-121827 filed 4/30/1999.
3. The pending claims 1-45 are examined as follows.

### Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 2, 4-11, 14, 15, 17, 18, 21, 22, 24, 26 and 27 are rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the written description

requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "Said virtual system configuration display means further causes said display unit to discriminatively display, as icons, which printer has an inkjet printing function and which printer has a laser printing function." is not disclosed in the disclosure. Appropriate correction is required.

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 6-11, 14, 15, 21, 22, 28-30, 41, 44 and 45 are rejected under 35

U.S.C. 102(b) as being anticipated by Jalalian, et al (5,548,722).

With regard to claim 1:

The invention of Jalalian et al ("Jalalian") is generally directed to computerized networks. It is more specifically directed to a system for navigating through a network and accessing desired network services.

Jalalian discloses a block diagram of a networked system 100 in which two or more personal computers 111, 112, etc., are connected by way of respective network interfaces 121, 122, etc., to a network 130. A plurality of user-shared resources 131, 132, etc., are provided on the network 130 for shared use by the plural workstations 111, 112, etc. These shared resources can include, but are not limited to, a plurality of laser printers (LP's) 131, 134, 138 and 139.

As per acquirement means... Jalalian describes that when the user computer require queries the network manager 110 for a specified service, the network manager allocate the requested and available services (network resources 131, 132, etc) to his client;

as per management means.... Jalalian describes that the network manager 110 stores the network-shared resources of network 130 on one or more file servers (FS) 132, 135, etc.

As per virtual system configuration display means, Jalalian further describes a display panel that displays resource availability and provides selection presentation. The resource availability is viewed on the display as an icon image of the resource or device; and a pointing device is used to manipulate or select the displayed image. The display also shows not only what resource is available to the user, but also the connection state to the resources (fig. 7, column 17, lines 25-column 18, lines 10). Furthermore, Jalalian describes based on the condition state (e.g. connected or not connected) (Fig. 3B) the user display will show each resource and their associated feature or function.

Jalalian also illustrates, as icons, which printer is LaserWriter (laser) printing function and which printer has Image Writer (ink jet) (Figs. 2A).

With regard to claims 2, 15, 22 and 30:

As illustrated Fig. 2a, and Fig. 7, Jalalian further discloses, a mark or name, such as, for example Mac Ilfx (apple product) is displayed in different form from other apple products, such as LaserWriters or ImageWriter printers (see Jalalian: column 9, lines 42-column 10, lines 65).

With regard to claim 6:

Jalalian further discloses that shared resources include, but are not limited to, a plurality of laser printers (see Jalalian: Fig. 1, #131, 134, 138, 139).

With regard to claim 7:

Jalalian further describes that the network 100 can include other local networks 130. The network manager 110 is a management server, manages all management task, such as allocating resources (see Jalalian: column 7, lines 9-26).

With regard to claim 8:

Jalalian describes that the network system further includes a plurality of file servers, 132, 135. These file servers store all requested resource information including status of each device (see Jalalian: column 6, lines 43-49, Fig. 3B).

With regard to claim 9:

Jalalian further describes that said network system further includes a plurality of workstations or PC 111, and 112 for acquiring information from the network (see Jalalian: column 6, lines 36-44).

With regard to claim 10:

Jalalian further describes that said network system also includes a table (3B) (a predetermined data structure) for the resource information (see Jalalian: column 16, lines 15-19).

With regard to claim 11:

Jalalian further describes said network system further discloses that the resource includes various icon image data for displaying the system configuration (see Jalalian: column 13, lines 19-column 15, lines 4).

With regard to claims 14 and 21:

These claims correspond generally to apparatus claim 1 and recite similar features in method and storage medium form, respectively, and therefore are rejected under the same rationale.

With regard to claim 28:

Regarding claim 28, Jalalian describes a data processing apparatus (Fig. 1A), which can perform data communication with plurality of devices connected with a data communication path (Fig. 7). Jalalian further describes that the network system 100 performs data communication with plural user-shared resources or devices 131, 132, and 112 connected with a data communication link or path (see Jalalian: fig. 7);

as per display control means, Jalalian's network system 100 further includes a display control that displays these user-shared resources (see Jalalian: Figs. 2A, 2B);

Wherein, as illustrated in Fig. 7, the display control means displays the image of the data communication path and the icons it connects.

Jalalian also illustrates and describes the state of the device/resource devices determining and illustrating (Fig. 3B) whether the resource is connected to other device or not (see Jalalian: Fig. 3B). The communication path between these devices is also shown in fig. 7.

With regard to claim 29:

Jalalian further discloses a plurality of device icons, such as scanners printers and computers, wherein the display form of each device icon is different (see Jalalian: figs. 2a, 6 and 7).

With regard to claim 41:

Jalalian discloses input/output devices and these devices are displayed as an icon images representing respective devices (Fig. 7). Jalalian also discloses an operation condition shown nearby the icon corresponding to the device (see for example Fig. 4B, Kevan's *Slow* Printer, the Boss's *Fast* Printer) that is, the condition (the printing speed) is indicated or marked nearby the printer's icons.

With regard to claims 44 and 45:

These claims correspond generally to apparatus claim 28 and recite similar features in method and storage medium form, respectively, and therefore are rejected under the same rationale.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian, et al (5,548,722) in view of Kuwamoto et al (5,353,399).

With regard to claim 42:

Jalalian discloses input/output devices and these devices are displayed as an icon images representing respective devices. Jalalian also discloses the operation condition nearby the icon corresponding to the device (see for example Fig. 4B,



Kevan's Slow Printer, the Boss's Fast Printer) that is; the condition (the printing speed) is indicated or marked nearby the printer's icons. But Jalalian does not indicate a mark indicating nearby the icon corresponding the device capable of inputting or outputting the color image. Kuwamoto describes displaying a mark indicating color capability or connection nearby the icon corresponding to the device capable of inputting or outputting the color image (see Kuwamoto: column 7, lines 3-13, Fig. 12, unusable and usable indicators near icons EMI and EC2 respectively). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the visual mark or indicator which is displayed nearby the icon representing a respective device with Jalalian's visual indicator (Fig. 4B) because user of the system will be able to determine which input/output device icon is color capable just by looking the nearby indicator or mark.

7. Claim 3, 16, 23, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548,722) in view of Kung et al (5,742,286).

With regard to claim 3:

Jalalian discloses a data processing apparatus, which can perform data communication with various devices connected on a predetermined communication medium (Figs. 1A, 1B, and Fig. 7). Jalalian also discloses a graphical user interface to manipulate the displayed object, such as device icons (Figs. 2A, 2B, etc.,).

as per indication means, Jalalian discloses that the graphical user interface supports drag and drop operation on the plurality of resource icons (see Jalalian: Figs.

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4a-6); as shown in Fig. 6, Jalalian discloses highlighting a resource icon, which is a temporarily changing of the appearance or status of the icon (see Jalalian: fig. 6).

However, Jalalian fails to show the judgment means for judging effectiveness of an arbitrary combination function indicated by said first indication means, and Jalalian further fails to show when it is judged by said first judgment means that the combination function is effective, said virtual system configuration display means temporarily changes a display status of the icon for each function indicated by said first indication means from display statuses of other icons while the combination is being executed.

Kung, which is related to Jalalian, discloses a method for user manipulation of displayed icons. Kung further discloses a drag and drop operation to teach the above limitations (see Figs. 2G-3L, for example), wherein Fig. 2G also shows a different pattern or appearance of displaying a status of an icon which is different than other non selected icons (column 7, lines 48-60). The combination of icons shown (Figs. 2G-3L, for example) is the result of drag and drop operation on the icons (see Figs. 2G-3L, and elsewhere).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the visual combination of icons which have different temporarily appearance with Jalalian drag and drop operation because the visual appearance during drag and drop operation will enable user to visualize the combined icon function which results in a multi functions.

With regard to claims 16 and 23:

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These claims correspond generally to apparatus claims 3 and recite similar features in method and storage medium form, respectively, and therefore are rejected under the same rationale.

With regard to claim 34:

This claims, while not necessary identical in scope, contain limitations similar to independent claim 3 and therefore is rejected under the same rationale.

With regard to claim 35:

This claims, while not necessary identical in scope, contain limitations similar to independent claim 3 and therefore is rejected under the same rationale.

With regard to claim 36:

Jalalian in view of Kung further discloses that the display control means displays a specific emphasis pattern nearby the icon of the arbitrary combination indicated by indication means (see Kung: figs. 2B3L).

8. Claims 4, 17, 24, 26, 27, 39, 40, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548,722) in view of Ahearn et al (5,926,463).

With regard to claims 4, 17, and 24:

While Jalalian displays a path or link (Fig. 7) to connect the icons for the respective device, but Jalalian is not explicitly shown that the link can be displayed in different form. However, Ahearn discloses different appearance of a communication path or link and color-coded status of an object icon associated to a specific task (see column 5, lines 39-57, column 8, lines 15-55, Fig. 8).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the path or connection lines of Jalalian with color-coded status of Ahearn because user will be able to easily identify a connection and it will enhance the network resource management system in monitoring the system for a troubleshooting and status monitoring.

With regard to claims 26, 27, 39, 40, and 43:

Similarly, while Jalalian describes that user can query for a resource device for its availability or sharing in the network, but fails to show a displaying form of the icon corresponding to the device of which driver is not installed in said data processing apparatus. However, again, Ahearn discloses various color-coded status of each object, such as green or light-green to suggest ok and Red to suggest an error or no connection can be made or to indicate the device is temporally unusable (see Ahearn: column 8, lines 15-54).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the path or connection lines of Jalalian with color-coded status of Ahearn because user will be able to easily identify a connection and it will enhance the network resource management system in monitoring the system for a troubleshooting and status monitoring.

9. Claims 5, 12, 13, 18, 19, 20, 25, 37, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548,722) and Ahearn et al (5,926,463) and Kung et al (5,742,286).

With regard to claims 12, 13, 19, and 20:

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While Jalalian and Kung describes that user can query for a resource device for its availability or sharing in the network, but fails to show a displaying form of the icon corresponding to the device of which driver is not installed in said data processing apparatus. However, again, Ahearn discloses various color-coded status of each object, such as green or light-green to suggest ok and Red to suggest an error or no connection can be made or to indicate the device is temporally unusable (see Ahearn: column 8, lines 15-54).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the path or connection lines of Jalalian with color-coded status of Ahearn because user will be able to easily identify a connection and it will enhance the network resource management system in monitoring the system for a troubleshooting and status monitoring.

With regard to claims 5, 18, and 25:

These claims further recite adding a specific emphasis pattern to the indicated icons to emphasize and display these ions. But this feature is not explicitly shown in Jalalian and Ahearn. However, adding a specific emphasis pattern to the indicated icon is disclosed in Kung (see Figs. 2B-3L).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the addition of a specific emphasis pattern to a displayed icon with Jalalian as modified by Kuwamoto and Abeam because user will give more attention to specific emphasis pattern and be able to visualize the display icon quickly and easily.

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With regard to claims 37 and 38:

While Jalalian in view of Kung disclose displaying a path or link (Jalalian, Fig. 7) to connect the icons for the respective device, but Jalalian is not explicitly shown that the link can be displayed in different form. However, Ahearn discloses different appearance of a communication path or link and color-coded status of an object icon associated to a specific task (see column 5, lines 39-57, column 8, lines 15-55, Fig. 8).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the path or connection lines of Jalalian with color-coded status of Ahearn because user will be able to easily identify a connection and it will enhance the network resource management system in monitoring the system for a troubleshooting and status monitoring

10. Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548.722)

Jalalian discloses a plurality of user-shared resources 131, 132, etc., that are provided on the network. These user-shared resources can include, but are not limited to, computers, a plurality of printers, etc. In addition to a printer, claims 31 calls for displaying icon-representing scanner, digital copying machine on the display. Claim 32 also recites displaying icon representing digital camera, fax machine, and modem on the display. Jalalian does only show a visually displayed connection between a printer and other resources (Fig. 7).

However, Official notice is taken that it is well known also as suggested by Jalalian (see Jalalian: Figs. 1A, 7, column 6, lines 36-43) to visually/graphically

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represent any device/resource on a display. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify printer icon representation of Jalalian by other shared resource including scanner, fax machine, digital camera and modem. Thus, once a plurality of shared resource are represented, as icons user will be able to easily access the represented device on the display.

### **Allowable Subject Matter**

11. Claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Conclusion**

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and

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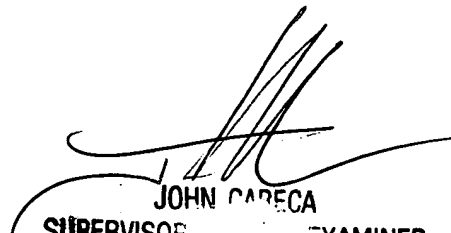
any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 9:45 - 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116.

14. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Tadesse Hailu*

April 16, 2004

  
JOHN CABECA  
SUPERVISOR EXAMINER  
TECHNOLOG.